

Application No. 09/729,888
Amendment Dated October 27, 2003
Reply to Office Action of May 7, 2003

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. - 8. Previously cancelled.

9. (Currently amended) A pre-surgical alerting device for use on a body having an involved body segment to be involved in a surgical procedure and a plurality of uninvolved body segments which are not to be involved in said surgical procedure, comprising:

a. a body segment selected from said plurality of uninvolved body segments to provide a selected uninvolved body segment,

[a.] b. a strip suitable for placing on said selected uninvolved body segment to provide a labeled selected uninvolved body segment, a body segment which is not to be affected by a surgical procedure said strip having a superior side and an inferior side,

[b.] c. a visually perceptible indicator on said superior side to warn against surgery on said labeled selected uninvolved body segment the body segment on said superior side, and

[c.] d. temporary attachment means for temporarily attaching said inferior side to the said labeled selected uninvolved body segment in a manner which permits said strip to be removed after the surgical procedure.

10. (Previously amended) A pre-surgical altering device according to Claim 9, wherein said attachment means comprises an adhesive.

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11. (Previously amended) A pre-surgical alerting device according to Claim 9, where said strip is perforated to allow oxygen to diffuse to skin which the strip is attached.

12. (Currently amended) A pre-surgical alerting device according to Claim 9, wherein said visually perceptible indicator comprises the words "No Cut[".] ”

13. (Previously amended) A pre-surgical alerting device according to Claim 10, further comprising peelable backing affixed to said inferior side to cover said adhesive when said device is not in use.

14. (Previously amended) A pre-surgical alerting device according to Claim 9, further comprising a companion label suitable for detaching from said strip and for attaching to a patient's medical chart to indicate use of the alerting device.

15. - 18. Cancelled.